

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5358 of 2019

Arising Out of PS. Case No.-191 Year-2018 Thana- DUMARIAGHAT District- Gopalganj

CHHOTU, aged about 35 years, (M), S/o Bharat Singh Resident of village-
Dayannagar, New Agra, P.S.- New Agra, District- Agra (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 31-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Dumariaghat P.S. Case No.191 of 2018 registered for the offence punishable under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 2715 litres foreign liquor from car which was being driven by the accused person.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has further been submitted that petitioner is driver of the aforesaid vehicle and he has no concern with the alleged recovered liquor. He was not aware that illicit liquor is concealed in the car. Petitioner has no criminal antecedent and he is in custody since 03.11.2018.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge, Excise, East Champaran at Motihari in connection with Dumariaghat P.S. Case No.191 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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